ney Docket No.9310-150

09-12-05006 Rec'd PCT/PTO 09 SEP 2005

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Fokke Venema

Confirmation No.: 3570

Application No.: 10/537,562

Group Art Unit: 1645

Filed: June 3, 2005

For: Method For Lowering Both Sequence Variations And Increase Of Base Line's Effects In A Diagnostic Hybridisation Assay, Assay For Performing Such A Method And Probe For

Use In The Assay

Date: September 9, 2005

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT **PURSUANT TO 37 C.F.R. § 1.97(b)**

Sir:

Attached is a list of documents on Form PTO-1449, together with a copy of any listed foreign patent document and/or non-patent literature. A copy of any listed U.S. patent and/or U.S. patent application publication is not provided herewith in accordance with the amendment by the U.S. Patent and Trademark Office to 37 C.F.R. § 1.98(a)(2)(ii) effective October 21, 2004.

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. § 1.97(b), within three months of the filing date of the above-referenced application or before the mailing of a first Office Action on the merits, whichever event occurs last. Therefore, no fee is believed due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

It is requested that these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. §1.56 and Section 609 of the MPEP.

Respectfully submitted,

Registration No. 41,965

Myers Bigel Sibley & Sajovec, P.A. P. O. Box 37428 Raleigh, North Carolina 27627 Telephone: (919) 854-1400 Facsimile: (919) 854-1401 Customer No. 20792

**CERTIFICATE OF MAILING UNDER 37 CFR § 1.10** 

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Date of Deposit: September 9, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sheena L. Donnelly

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Substitute form 1449A/PTO	20	C	Complet <u>e if</u> Known
1	ં હ	Application Number	10
INFORMATION DISCLOSURE	P 0 9 2005	Filing Date	Jun. , 2005
STATEMENT BY APPLICANT		First Named Inventor	Fokke Venema
	\'A\	Group Art Unit	1645
(use as many sheets as necessary)	PADEMIET OF	Examiner Name	TBA
Sheet 1 of	1	Attorney Docket Number	9310-150

U.S. PATENTS AND PATENT PUBLICATIONS						
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited	Date of Publication of Cited	
		Number	Kind Code (if known)	Document	Document MM-DD-YYYY	
		US-				
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				FOREIGN PAT	ENT DOCUMENTS		
Examiner Cite No.	I .	Foreign Patent Document			Name of Patentee or Applicant of Cited	Date of	Translation
	NO.	Office	Number	Kind Code (if known)	Document	Publication of Cited Document MM-DD-YYYY	
	1.	wo	2000/66604		Exiqon	11-09-2000	
	2.	wo	2003/020952		Gen-Probe Inc.	03-13-2003	
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No.	serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	
3.	International Search Report for International patent application PCT/EP2003/13676 on June 4, 2004	
4.	Majlessi et al. "Advantages of 2'-0-methyl Oligoribonucleotide Probes for Detecting RNA Targets"  Nucleic Acids Research 26(9): 2224-2229 (1998)	
5.	Tsourkas et al. "Hybridization Of 2'-0-Methyl And 2'-Deoxy Molecular Beacons To RNA And DNA Targets" <i>Nucleic Acid Research</i> 30(23): 5168-5174 (2002)	

Examiner Signature	Date Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.